

See Box 1/6 for extended response

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A Professional Corporation



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VIA FEDERAL EXPRESS

Marsha Adams
U. S. Environmental Protection Agency
Remedial Enforcement Support Section
77 W. Jackson Blvd. (SR-6J)
Chicago, IL 60604

**RE: The Chemical Recovery Systems Site
Elyria, Ohio
Dot Label, Inc.'s Response to Requests for Information**

Dear Ms. Adams:

This firm represents Dot Label, Inc. with regard to the above-referenced matter. With this letter, we ask the EPA two questions and submit Dot Label, Inc.'s response to the EPA's Requests for Information.

Questions Directed to EPA

As will become apparent when you review Dot Label, Inc.'s response to the EPA's Requests for Information, Dot Label, Inc. has no information regarding this Site nor does it have any information regarding any relationship between this Site and Allegheny Label. Therefore, we respectfully request the following information from the EPA:

- What information does the EPA possess concerning any relationship between Allegheny Label and Dot Label, Inc.?
- What information does the EPA possess concerning Allegheny Label's connections to the Site?

If I need to present these requests for information to the EPA in some different form, please advise. We look forward to your response in this regard.

DOT LABEL, INC.'S RESPONSE TO THE EPA'S REQUESTS FOR INFORMATION

1. Identify all persons consulted in the preparation of the answers to these questions.

ANSWER:

Joel R. Mosher prepared these responses on behalf of Dot Label, Inc. Bill Toyne, Senior Vice President and Chief Financial Officer of Dot Label, Inc. provided Mr. Mosher with the information and documents referenced in these Responses, and approved the final language of the responses on behalf of Dot Label, Inc.

2. Identify all documents consulted, examined or referred to in the preparation of the answers to these questions and provide copies of all such documents.

ANSWER:

Agreement for Sale of Assets concerning the March, 1990 transaction between Allegheny Label, Inc. and certain buyers. A copy, including exhibits and attachments, accompany this Response.

3. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any question or who may be able to provide additional responsive documents, identify such persons.

ANSWER:

Not applicable. There is no one at Dot Label, Inc. with superior knowledge of the matters discussed herein as they relate to Dot Label, Inc.

4. List the EPA Identification Numbers of the Respondent.

ANSWER:

KSD007452287.

5. Identify the acts or omissions of any person other than your employees, contractors, or agents, that may have caused the release or threat of release of hazardous substances, pollutants, or contaminants and damages resulting therefrom at the CRS site.

ANSWER:

It is impossible for Dot Label, Inc., or any of its employees, contractors, or agents, to have caused the release or threat of release of hazardous substances, pollutants, or contaminants and damages resulting therefrom at the CRS Site.

As mentioned above, certain assets of Allegheny Label, Inc. were sold in March of 1990 to Jeffrey B. Nedblake and G. Wesley Nedblake, Jr. These individuals and a corporation they controlled, Package Service Company, Inc., formed a new corporation, Allegheny Graphics, Inc., to own and operate those certain assets purchased in March of 1990. Allegheny Graphics, Inc. did, indeed, operate some portion of the previous Allegheny Label, Inc. business in a Cheswick, Pennsylvania factory for less than 2 years between March of 1990 and some time in 1992. Some time in or after 1997, after certain assets of Package Service Company, Inc. were distributed to Package Service Company, L.L.C., the stock of Package Service Company, Inc. was purchased by Dot Holding Corporation, and the name of "Package Service Company, Inc." was changed to "Dot Label, Inc."

We understand from the EPA's Site History, provided with its Requests for Information, that the Site discontinued operations in 1981 and, indeed, has been the subject of various enforcement actions since 1979 or 1980. Clearly, therefore, Allegheny Graphics, Inc. which came into being in 1990 could not have generated any materials to the Site. The liability for anything generated prior to 1990 would have been retained by

the sellers of Allegheny Label, Inc. listed in the enclosed Agreement as Charles Martin, James Wolff and General Press Corporation.

6. Identify all persons, including respondent's employees, who have knowledge or information about the generation, use, treatment, storage, disposal, or other handling of material at or transportation of materials to the Site (operating as Obitts Chemical Company or Chemical Recovery Systems, Inc., at 152 Locust Street, Elyria, Ohio).

ANSWER:

Not applicable, see response to No. 5, above.

7. Describe all arrangements that Respondent may have or may have had with each of the following companies and persons:
- a) Obitts Chemical Company
 - b) Russell Obitts
 - c) Chemical Recovery Systems, Inc.
 - d) Peter Shagena
 - e) James Freeman
 - f) James "Jim" Jackson
 - g) Donald Matthews
 - h) Bob Spears
 - i) Bill Bromley
 - j) Carol Oliver
 - k) Nolwood Chemical Company, Inc.
 - l) Art McWood

- m) Chuck Nolton
- n) Michigan Recovery Systems, Inc.

ANSWER:

Not applicable, see response to No. 5, above.

8. Set forth the dates during which the Respondent engaged in any of the following activities:
- a) generation of hazardous materials which were sent to the CRS Site;
 - b) transportation of any material of the CRS Site.

ANSWER:

Not applicable, see response to No. 5, above.

9. Identify all persons, including yourself, who may have arranged for disposal or treatment, or arranged for transportation for disposal or treatment, of materials, including, but not limited to, hazardous substances, at the CRS Site. In addition, identify the following:
- a) The persons with whom you or such other persons made such arrangements;
 - b) Every date on which such arrangements took place;
 - c) For each transaction, the nature of the material or hazardous substance, including the chemical content, characteristics, physical state (e.g., solid, liquid), and the process for which the substance was used or the process which generated the substance;
 - d) The owner of the materials or hazardous substances so accepted or transported;

- e) The quantity of the materials or hazardous substances involved (weight or volume) in each transaction and the total quantity for all transactions;
- f) All tests, analyses, and analytical results concerning the materials;
- g) The person(s) who selected the CRS Site as the place to which the materials or hazardous substances were to be transported;
- h) The amount paid in connection with each transaction, the method of payment, and the identity of the person from whom payment was received;
- i) Where the person identified in the above, intended to have such hazardous substances or materials transported and all evidence of this intent;
- j) Whether the materials or hazardous substances involved in each transaction were transshipped through, or were stored or held at, any intermediate site prior to final treatment or disposal;
- k) What was actually done to the materials or hazardous substances once they were brought to the CRS Site;
- l) The final disposition of each of the materials or hazardous substances involved in such transactions;
- m) The measures taken by you to determine the actual methods, means, and site of treatment or disposal of the material and hazardous substance involved in each transaction;
- n) The type and number of containers in which the materials or hazardous substances were contained when they were accepted for transport, and subsequently until they were deposited at the CRS Site and all markings on such containers;
- o) The price paid for (i) transport, (ii) disposal, or (iii) both of each material and hazardous substance.
- p) All documents containing information responsive to a – o above, or in lieu of identification of all relevant documents, provide copies of all such documents.

- q) All persons with knowledge, information, documents responsive to a – p above.

ANSWER:

Not applicable, see response to No. 5, above.

10. Identify all liability insurance policies held by Respondent from 1960 to the present. In identifying such policies, state the name and address of each insurer and of the insured, the amount of coverage under each policy, the commencement and expiration dates for each policy, whether or not the policy contains a "pollution exclusion" clause, and whether the policy covers or excludes sudden, nonsudden, or both types of accidents. In lieu of providing this information, you may submit complete copies of all relevant insurance policies.

ANSWER:

Dot Label, Inc. encloses copies of the information it located concerning its insurance after a reasonable search.

11. Provide copies of all income tax returns, including all supporting schedules, sent to the Federal Internal Revenue Service in the last five years.

ANSWER:

Enclosed.

12. If Respondent is a Corporation, respond to the following requests:
- a) Provide a copy of the Articles of Incorporation and By-Laws of the Respondent.
 - b) Provide Respondent's financial statements for the past five fiscal years, including, but not limited to, those filed with the Internal Revenue Service and Securities and Exchange Commission.

- c) Identify all of Respondent's current assets and liabilities and the person(s) who currently own or is responsible for such assets and liabilities.
- d) Identify the Parent Corporation and all Subsidiaries of the Respondent.

ANSWER:

Copies of the requested documents are enclosed. Note, Dot Holding, Inc. is the parent of Dot Label, Inc.

13. If Respondent is a Partnership, respond to the following requests:
- a) Provide copies of the Partnership Agreement;
 - b) Provide Respondent's financial statements for the past five fiscal years, including, but not limited to, those filed with the Internal Revenue Service and Securities and Exchange Commission;
 - c) Identify all of Respondent's current assets and liabilities and the person(s) who currently own or is responsible for such assets and liabilities.
 - d) Identify all subsidiaries of the Respondent.

ANSWER:

Not applicable.

14. If Respondent is a Trust, respond to the following requests:
- a) Provide all relevant agreements and documents to support this claim.
 - b) Provide Respondent's financial statements for the past five fiscal years, including, but not limited to, those filed with the Internal Revenue Service and Securities and Exchange Commission.

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- c) Identify all of Respondent's current assets and liabilities and the person(s) who currently owned or is responsible for such assets and liabilities.

ANSWER:

Not applicable.

Sincerely,

JOEL R. MOSHER

JRM:mjo
Enclosures